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BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Blackett et al

Appln. No.: 09/896,570

Filed: June 29, 2001

For: COMMUNICATIONS ARCHITECTURE
FOR INTELLIGENT ELECTRONIC
DEVICES

Attorney Docket No: 6270/64

Examiner: Felix E. Suarez

Art Unit: 2857

Mail Stop RCE
Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (37 C.F.R. § 1.114)

Sir:

Applicant(s) requests continued examination of the above-identified application under 37 C.F.R. §1.114.

☒ Submission under 37 CFR 1.114; Remarks, Copy of 5th Supplemental Information Disclosure Statement as filed April 20, 2004.

☐ Previously submitted:

☐ Applicant(s) requests nonentry of any previously-filed unentered amendments.

☐ Please enter and consider the Amendment After Final Under 37 C.F.R. §1.116 previously filed on _____

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

☐ Other: _____

☒ Attached is/are:

☒ An Information Disclosure Statement

☐ An Amendment to the written description, claims, or drawings

☐ New Arguments and/or New Evidence in support of Patentability

☒ Other: Remarks

☐ Request for suspension of action:

Applicant(s) hereby request suspension of action on the above-identified application under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; requires Processing Fee under 37 C.F.R. §1.17(i)).

☐ Small Entity Status:

☐ Applicant hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.

☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. _____ / _____ and such status is still proper and desired.

☐ Is no longer desired.

☒ Applicant(s) calculate the following fees to be due in connection with this Request:

☒ A Request fee of \$770.00 under 37 C.F.R. §1.17(e).

☐ A suspension processing fee of \$_____ under 37 C.F.R. §1.17(i).

☐ An additional filing fee of \$_____ under 37 C.F.R. §1.16 (_____ additional independent claims and/or _____ additional total claims).

☐ An extension fee of \$_____ under 37 C.F.R. §1.17(a) for a _____-month extension of time.

☒ Fee payment to cover the above-enumerated fee(s):

☒ A check in the amount of \$770.00 is enclosed.

☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A copy of this Request is enclosed for this purpose.

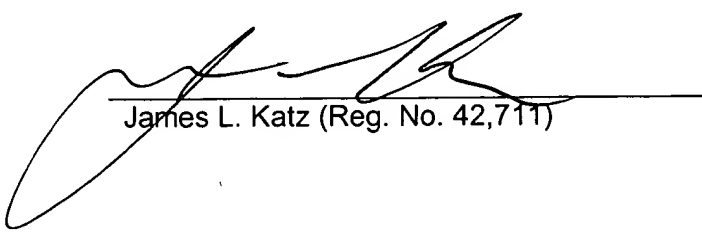
☐ A payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE). A copy of this Request is enclosed for this purpose.

Respectfully submitted,

2/2/09
Date

Attachment(s):


James L. Katz (Reg. No. 42,711)



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U.S. EXPRESS MAIL "POST OFFICE TO ADDRESSEE" SERVICE
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Examiner: Felix E. Suarez

Art Unit: 2857

Attorney Docket No: 6270/64

Mail Stop RCE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Request for Continued Examination (RCE); Remarks, Copy of 5th Supplemental Information Disclosure Statement as filed April 20, 2004;
- ☒ Return Receipt Postcard

Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

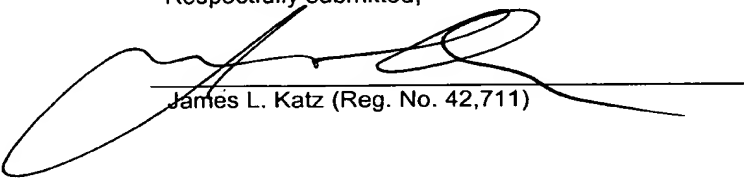
					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

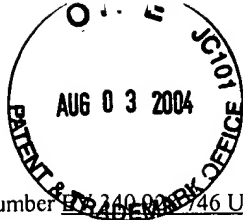
Fee payment:

- ☒ A check in the amount of \$770.00 is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date 8/2/04


James L. Katz (Reg. No. 42,711)



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Date of Deposit August 2, 2004

Our Case No.: 6270/64

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Blackett et al.

Serial No.: 09/896,570

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For: COMMUNICATIONS
ARCHITECTURE FOR
INTELLIGENT ELECTRONIC
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Examiner: Felix E. Suarez

Group Art Unit No.: 2857

**REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114
REMARKS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On December 15, 2003, the above captioned patent application was allowed. Applicants subsequently filed a Request for Continued Examination on December 23, 2003 along with a 3rd Supplemental Information Disclosure Statement. 4th and 5th Supplemental Information Disclosure Statements were subsequently filed on January 20 and April 20, 2004 respectively prior to mailing of a first action, in compliance with 37 C.F.R. §1.97. On May 3, 2004, the Examiner mailed a Supplemental Notice of Allowance, having reviewed and considered Applicants' 3rd and 4th supplemental Information Disclosure Statements.

Unfortunately, Applicants' 5th Supplemental Information Disclosure Statement was lost by the PTO and never considered by the Examiner. Subsequent attempts to locate the 5th Supplemental Information Disclosure Statement and have it, along with the file, routed back to the Examiner for consideration have failed. In addition, the file has now been marked lost.

Accordingly, as the issue fee as prescribed by the May 3, 2004 Notice of Allowance is due, Applicants are filing this Request for Continued Examination in order to preserve rights and ensure that the 5th Supplemental Information Disclosure Statement is considered by the Examiner prior to the issuance of the above captioned patent application.

Included herewith is a copy of Applicants' 5th Supplemental Information Disclosure Statement, as filed, along with a copy of the stamped post-card evidencing receipt by the PTO.

Applicant(s) respectfully request that the listed documents be made of record in the present case. Should there be any questions, the Examiner is invited to call the undersigned at (312) 321-7739.

Respectfully submitted,



James L. Katz
Registration No. 42,711
Attorney for Applicant(s)

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